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Letter dated 13 January 2006 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities (see annex), which was adopted by the Committee under the no-objection procedure on 9 January 2006 and is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) César **Mayoral**
Chairman
Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

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Annex

Report of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

I. Introduction

1. The purpose of the present report is to provide a factual summary of the Committee's activities during the period from 1 January to 31 December 2005, in accordance with the transparency measures outlined by the President of the Security Council in his note of 29 March 1995 (S/1995/234). The last annual report of the Committee was submitted on 28 December 2004 (S/2004/1039).

II. Background information

2. Following consultations among the members of the Security Council, the Council agreed to elect the bureau of the Committee for 2005, which consisted of Ambassador César Mayoral (Argentina) as Chairman, with the delegations of Greece and Romania providing the two Vice-Chairmen (see S/2005/3).

3. On 29 July 2005, the Security Council unanimously adopted resolution 1617 (2005). The scope of the mandatory sanctions measures imposed earlier by the Security Council remained unchanged; however, the resolution did provide more clarity regarding the measures and their implementation. The resolution provided an explanation of the term "associated with", in reference to association with Al-Qaida, Osama bin Laden and the Taliban, thus clarifying who can be subject to placement on the Committee's Consolidated List. The resolution reiterated the need for close cooperation and exchange of information among the Security Council Committee established pursuant to resolution 1267 (1999), the Security Council Committee established pursuant to resolution 1373 (2001) (Counter-Terrorism Committee) and the Security Council Committee established pursuant to resolution 1540 (2004). Furthermore, the Security Council requested the Secretary-General to increase cooperation between the United Nations and Interpol.

4. Security Council resolution 1617 (2005) also included a number of non-mandatory measures. Annex II of the resolution contained a checklist for monitoring sanctions implementation by States and in the resolution, the Security Council strongly urged Member States to implement relevant recommendations of the Financial Action Task Force on money-laundering and terrorist financing.

5. The Security Council extended the mandate of the New York-based Analytical Support and Sanctions Monitoring Team for a period of 17 months, to be discharged under the direction of the Committee.

III. Summary of the activities of the Committee

6. The Committee continued its proactive approach to discharging its mandate and solidified its role in the fight against terrorism. During the reporting period, the Committee held 7 formal and 36 informal meetings at the expert level. The Committee continued its practice of holding informal meetings. In January, April,

September and October, the Committee considered its programme of work, based on resolutions 1526 (2004) and 1617 (2005), and the list of main issues to be discussed at informal meetings of the Committee. The Committee agreed to continuously update the work programme to allow for the highest degree of flexibility in its work.

Briefings given every 120 days by the Chairman of the Committee to the Security Council

7. On 25 April, Ambassador Mayoral held his first joint briefing with the respective Chairmen of the Security Council Committees established pursuant to resolutions 1373 (2001) and 1540 (2004), in which he informed the Council of the current and future activities of the Committee and the Monitoring Team (S/PV.5168). The second and third joint briefings, with the Chairmen of the above-mentioned Committees, were held by Ambassador Mayoral on 20 July (S/PV.5229) and 26 October (S/PV.5293), respectively.

Recommendations contained in the second and third reports of the Monitoring Team

8. During the first months of 2005, the Committee considered in depth, in the presence of the Monitoring Team, the recommendations contained in the Team's second report, submitted by it in December 2004 (S/2005/83), with the aim of agreeing upon possible follow-up action that would further improve the effectiveness of the Al-Qaida and Taliban sanctions regime. In September and October, the Committee considered in great detail the third report of the Team (S/2005/572). The Committee agreed with a number of the recommendations contained in that report. Some of the recommendations were referred to the Counter-Terrorism Committee for further action and some to the Committee established pursuant to resolution 1540 for its information. The Committee also identified a number of recommendations that would require further consideration by the Committee, such as listing and delisting issues. For the first time, the Committee decided to issue, as a letter from the Chairman (S/2005/760), its comments and observations on the recommendations contained in the third report. The Committee indicated that it found that the recommendations should be brought to the attention of all States as implementation of the sanctions measures could be significantly improved.

Written analytical assessment pursuant to Security Council resolution 1526 (2004)

9. In order to comply with its obligation to submit a written analytical assessment of Member State implementation of relevant sanctions measures pursuant to paragraph 13 of resolution 1526 (2004), the Committee requested the Monitoring Team to assist it by providing a preliminary analysis. That analysis was submitted to the Committee on 11 July. The Committee found it to be a valuable source of information that allowed it to arrive at its own conclusions, which were reflected in its assessment (S/2005/761). The Committee submitted the assessment with the expectation that it would serve as feedback for Member States that had submitted their implementation reports. For the 46 non-reporting States, the assessment will hopefully be a source of inspiration.

Exceptions under Security Council resolution 1452 (2002)

10. The Committee continued to consider notifications and requests submitted pursuant to resolution 1452 (2002) on an expedited basis. The Committee also maintains and regularly updates a list of notifying States. During the reporting period, the Committee received 10 notifications from five States seeking exceptions to the sanctions measures in accordance with paragraphs 1 (a) or (b) of resolution 1452 (2002). Two States have each submitted seven notifications. This was a slight decline in comparison with 2004. One State notified the Committee about its intention to release a considerable amount of money for payment of legal fees and other basic expenses. The Committee considered whether the funds were in fact necessary for the proclaimed purposes and whether their utilization was within the scope of resolution 1452 (2002). The Committee also considered a request by Liechtenstein to make the list maintained by the Committee pursuant to paragraph 3 (a) of the resolution available to all interested Member States. After extensive consultations, the Committee did not grant that request. In a letter addressed to the Chairman of the Committee, Liechtenstein expressed its regret over the decision. At the request of Liechtenstein, the letter was forwarded to the Council for issuance as a document of the Council (S/2005/672). The Committee also received a notification concerning exceptions pursuant to resolution 1452 (2002) for an entity. That communication is still under consideration.

Revision of the Committee guidelines

11. In accordance with paragraph 18 of resolution 1617 (2005), the Committee focused on revising the guidelines for the conduct of its work, including by addressing listing and delisting procedures, and on implementation of resolution 1452 (2002) so that the guidelines could serve as a better tool for rationalizing its own work and for providing guidance to Member States in their implementation efforts.

Dialogue with States

12. On 10 January, the Committee met with a senior delegation from the United States of America and was briefed by Juan Zarate, Assistant Secretary for Terrorist Financing and Financial Crime, Department of the Treasury, and F. Anthony Wayne, Assistant Secretary for Economic and Business Affairs, Department of State. On 13 May, the Committee was briefed by senior representatives of the United Kingdom of Great Britain and Northern Ireland. The briefing included presentations by Edward Oakden, Director, Defence and Strategic Threats, Foreign and Commonwealth Office, Kevin Adams, International Organizations Department, Foreign and Commonwealth Office, and Matthew Rowe, Charity Commission. On 1 July, the Committee heard a briefing by Ronald Mollinger, Ambassador at-Large of the Netherlands and Jan Willem van den Wall Bake, Senior Coordinator, Anti-Money Laundering and Terrorist Financing and head of the Dutch Delegation Financial Action Task Force, Ministry of Finance. On 5 July, the Committee heard a briefing by the Ambassador of Australia for Counter-Terrorism, Les Luck. Representatives of the above-mentioned States provided detailed information on current efforts in their respective countries to implement the sanctions against Al-Qaida and the Taliban. Members of the Committee found that this kind of dialogue and direct interaction with Member States was a useful tool for further improving and enhancing effective sanctions implementation. The Committee and its Chairman

strongly encourage other States to benefit from the opportunity to meet with the Committee.

Special briefings

13. On 24 June, the Committee met with the European Union Counter-Terrorism Coordinator, Gijs de Vries, who explained the European Union competences and efforts in counter-terrorism. Members of the Committee also benefited from the briefings given to the Counter-Terrorism Committee, and to which they and experts of the Monitoring Team were regularly invited.

Improvements to the Committee's list and its dissemination

14. The Committee continued to update its consolidated list of individuals and entities belonging to or associated with Al-Qaida and the Taliban on the basis of relevant information provided by Member States. The list continued to be the key instrument for States to use in enforcing and implementing the arms embargo, the travel ban and the assets freeze against listed individuals and entities.

15. During the reporting period, from 1 January to 31 December 2005, the Committee decided to add the names of 28 individuals and 4 entities to its consolidated list and made one delisting. A comprehensive list of listings and delisting in 2005 is attached to the present report (see appendix). Following each update, the Committee issued a press release, circulated a note verbale and e-mailed the changes in the list to Member States. Currently, e-mails are sent to 342 contact points provided by Member States and relevant international and regional organizations. Member States have been requested to provide the Secretariat with designated contact points at their permanent missions to the United Nations in New York and at the ministry/agency principally responsible for the implementation of the sanctions measures. The Committee continues to stress the importance of having Member States supply such information if they have not already done so as e-mail notification allows for very prompt implementation of the sanctions measures. In accordance with paragraph 19 of resolution 1526 (2004), the Secretariat transmitted a hard copy of the list on a quarterly basis for the convenience of Member States. During 2005, the list was transmitted three times (SCA/2/05(03); SCA/2/05(10); and SCA/2/05(20)).

16. On 9 September and 20 December, the Committee approved extensive technical corrections to the list, based on the information provided by some States that had been reviewed and processed by the Monitoring Team. Three similar rounds of technical corrections are still under the Committee's consideration. The Committee also agreed to certain changes in the layout of the list, including by adding permanent reference numbers, the rendition of all names in their original language and the alphabetical reordering of the names on the Taliban section of the list. These changes will be implemented in early 2006.

Cooperation with Interpol

17. At the initiative of the Monitoring Team, the Committee substantively increased cooperation with the International Criminal Police Organization (Interpol). In paragraph 8 of resolution 1617 (2005), the Security Council requested the Secretary-General to take the necessary steps to further increase cooperation between the United Nations and Interpol. Similarly, a resolution adopted at the

Interpol General Assembly in September (resolution No. AG-2005-RES-05) allowed for the initiation of a number of practical steps to enhance cooperation.

18. Further to these requests, the Interpol and United Nations Secretariats, with the assistance of the Monitoring Team, elaborated a supplementary arrangement to implement the existing cooperation agreement between the United Nations and Interpol. The arrangement established that Interpol:

(a) Create a special Interpol international notice for persons on the Committee's consolidated list, which Interpol could issue at the request of the Committee to alert States that certain individuals are the target of United Nations sanctions and are, therefore, subject to an assets freeze, arms embargo and travel ban;

(b) Add a reference to any currently existing Interpol notice advising that a person is on the consolidated list;

(c) Provide nominal data, if available, about specific persons on the list to the Committee and the Monitoring Team, so as to improve the accuracy of the list;

(d) Add, upon the request of the Committee, names and related data regarding persons on the list to the Interpol database, which is accessible by Interpol member States;

(e) Process, to the extent feasible, available background information, which may be provided by the Committee on specific persons on the list, such as the statement of case by submitting Member States, subject to the guidelines of the Committee for the conduct of its work.

19. The first four Interpol-United Nations special notices were issued on 6 December. The notices are available to national authorities through their Interpol national central bureaus. Limited versions of the notices are also available to the public at the Interpol website (www.interpol.org).

20. It is expected that enhanced cooperation with Interpol will provide the Committee with better tools to fulfil its mandate more effectively and give States more effective means to implement sanctions measures.

Coordination with the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004)

21. The Chairman strengthened direct contacts with the Chairmen of the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540, in order to increase their appreciation for each other's work and avoid overlaps, in particular with regard to visits undertaken at the levels of Chairmen and experts, and also to increase the exchange of information before and after visits. Members of the Committee highlighted on many occasions the complementary functions of the three committees and the need for a permanent exchange of information among them.

IV. Monitoring Team

22. The Monitoring Team submitted an updated programme of work in January, which the Committee duly approved. This covered the remaining six months of the Team's mandate under resolution 1526 (2004) and, among other issues, emphasized

the need for the Team to coordinate its work with the Counter-Terrorism Committee Executive Directorate.

23. The Team continued to travel to all regions of the world, including a further visit to Afghanistan, and to take part in conferences in which it believed it could promote a better understanding of the sanctions and thereby improve their implementation. A representative of the Team also accompanied the Chairman on his visits to selected States.

24. On 30 June 2005, the Monitoring Team submitted its third report (S/2005/572), in accordance with resolution 1526 (2004). In that report, the Monitoring Team noted that Al-Qaida continued to evolve and adapt to the pressures and opportunities of the world around it and that the threat of a significant attack remained real. At the same time, the Team noted that there had been a revival of the threat from the Taliban, in particular in the run-up to the Afghan parliamentary elections in September 2005. However, the Monitoring Team also noted that the international consensus against Al-Qaida and the Taliban remained firm, helped by a common understanding of the high level of the threat and of the consequences of a major attack. States increasingly saw the advantage of making the Security Council sanctions regime as effective as possible, and more States had come forward with names for the list, or had suggested improvements to existing entries, and had reported on activity with regard to implementation. Nonetheless, the Team concluded that the combination of distinct sanctions had still not achieved its full potential.

25. Under resolution 1617 (2005), the Monitoring Team has been mandated to take on additional tasks, including developing a plan to assist the Committee in addressing non-compliance with the sanctions measures, to present the Committee with recommendations that could be used by the Member States to assist them with implementation, to encourage the submission of names and information for the list and to advise on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront them.

26. In its programme of work under its new mandate, the Monitoring Team outlined its plan to gather and assess information on implementation by Member States of the measures by examining relevant information that was submitted by States not just to the Committee but also to other United Nations bodies, including the Counter-Terrorism Committee, the Committee established pursuant to resolution 1540 (2004) and the International Civil Aviation Organization, as well as through cooperation with such other international bodies as Interpol and regional organizations, and through its own independent research and direct contact with States.

27. The Team also undertook to explore with States the best measures to confront the changing nature of the terrorist threat, including by denying Al-Qaida and the Taliban the means to carry out their attacks. The Team intended to develop case studies concerning individuals and entities on the list by examining whether their assets had been effectively frozen and whether they had been truly prevented from travelling or purchasing arms.

V. Visits by the Chairman and members of the Committee to selected countries

28. Pursuant to paragraph 10 of resolution 1526 (2004) and paragraph 15 of resolution 1617 (2005), the Chairman and members of the Committee made two visits to selected States. The Chairman and his delegation also participated in two regional meetings on counter-terrorism issues. From 29 April to 9 May, the Chairman visited Germany; the European Union Institutions in Brussels; Turkey; and the Syrian Arab Republic. From 8 to 18 October, the Chairman visited Nigeria; the Organization for Cooperation and Security in Europe (OSCE) and the United Nations Office on Drugs and Crime in Vienna; and Chad. From 9 to 11 November, the Chairman participated in an international conference on combating terrorist financing, held in Vienna and jointly organized by OSCE and the United States of America; and from 29 November to 2 December, the Chairman's delegation participated in a regional workshop on the prevention and fight against terrorism and terrorism financing held in Buenos Aires. The outcome of the Chairman's visits to Member States was detailed in his briefings to the Security Council (S/PV.5229 of 20 July 2005, and S/PV.5293 and Corr.1 of 26 October 2005).

29. Visits to Member States continue to provide the Committee with useful information on how sanctions measures are being implemented. They also provide Member States with an opportunity to relate successes, best practices, assistance needs, and concerns with regard to the work of the Committee. The visits to international and regional bodies and the participation in their meetings and workshops allow for enhancing the capacity of the Committee to discharge its mandate and provide a venue for the Committee to disseminate relevant information to ensure a broader implementation of the sanctions measures. The Committee finds that such organizations play an important role in coordinating the efforts of their Member States, leading to more efficient sanctions implementation overall.

30. The Committee found it of particular relevance to learn more about the efforts made by countries with considerable capacity needs. It was clear to the Committee that more needed to be done in practical terms to assist Member States that were not able to implement the sanctions measures fully. The Committee and the Security Council needed to remain aware of the gap between the sanctions requirements that had been imposed and the actual capacity of a number of countries to meet them. The Committee was also frequently informed of concerns with regard to the due process aspects of the Committee's work, in particular with regard to listing and delisting. The Committee focused greater attention on Member States that had not submitted reports pursuant to resolution 1455 (2003), including through some visits to non-reporting countries. The Committee was assured that reports would be forthcoming from those Member States and it will actively pursue the matter.

VI. Future work of the Committee and pending issues

31. The Committee considers 2005 to have been an important year with regard to its work. The adoption by the Security Council of resolution 1617 (2005) gave a new impetus to the Committee's consideration of its guidelines, including with regard to listing, delisting and exemption issues. The Committee is thus addressing concerns raised by some Member States and international and regional organizations with regard to due process. The Committee believes that the forthcoming adoption

of revised guidelines will therefore serve as a much needed tool for the Committee and Member States alike.

32. The definition of the term "associated with" provided by the Security Council in that resolution will hopefully assist Member States in their submission of names for listing. The Committee notes that there are currently 204 individuals associated with Al-Qaida on its list. This is far too few. The effectiveness of the sanctions does not only depend on State implementation but also by ensuring that all individuals and entities who should be on the list are in fact on it. Over the past three years, the Committee has received the names of 137 individuals and one entity to be included on the list. The final decision in those cases is still pending as in many cases the Committee has not received sufficient identifying information or a clear statement of case describing the association of the individual with Al-Qaida and the Taliban. The Committee is also considering more than 150 technical corrections submitted by the Monitoring Team during the reporting period. The Committee is dedicated to a prompt resolution of these issues and continues to emphasize the need for further submissions of names and corrections to the existing data on the list.

33. The Committee also looks forward to the increased information that will be supplied to it through the checklist contained in the annex to resolution 1617 (2005). Member States are requested to submit the checklist by 1 March 2006.

34. The Committee continues to rely on the valuable support of the Monitoring Team and is looking forward to receiving its three further reports during the course of 2006. Previous reports have contributed greatly to the efforts of the Committee and the Security Council to continuously improve the sanctions measures and their implementation.

35. As noted above, cooperation with Interpol was increased significantly during the course of 2005. The Committee strongly believes that such innovative and practical steps will have a tangible effect in Member States. The Committee is dedicated to continuing to take such steps and to seeking new ways to ensure that implementation of the sanctions measures against Al-Qaida and the Taliban is further strengthened.

VII. Observations and conclusions

36. In the international effort to fight Al-Qaida and the Taliban and their associates it is of the greatest importance that there be a consensus among States about the gravity of the threat. In 2006, the Committee intends to further consolidate and strengthen what has already been achieved in the fight against Al-Qaida and the Taliban through the instrument of sanctions.

Appendix

Changes made in the consolidated list of individuals and entities belonging to or associated with Al-Qaida and the Taliban in 2005

A. Individuals added

Date	*Name*	*Press release*
28 January	Sulayman Khalid Darwish	SC/8300 28 January
17 February	Muhsin Al-Fadhli	SC/8317 17 February
16 May	Abu Rusdan Zulkarnaen Joko Pitono	SC/8388 17 May
29 July	Ahmed El Bouhali Faycal Boughanemi Abdelkader Laagoub	SC/8469 1 August
16 September	Abdul Latif Saleh	SC/8503 20 September
29 September	Abd Allah Mohamed Ragab Abdel Rahman Zaki Ezat Zaki Ahmed Mohammed Ahmed Shawki Al Islambolly El Sayed Ahmad Fathi Hussein Elaiwa Ali Sayyid Muhamed Mustafa Bakri Mahdhat Mursi Al-Sayyid Umar Hani El Sayyed Elsebai Yusef	SC/8516 3 October
6 December	Ata Abdoulaziz Rashid Dieman Abdulkadir Izzat Yasser Mohamed Ismail Abu Shaweesh Mazen Ali Hussein Kawa Hamawandi Isnilon Totoni Hapilon Rafik Mohamad Yousef Ibrahim Mohamed Khalil Lokman Amin Mohammed Radulan Sahiron Jainal Antel Sali Jr.	SC/8573 7 December
15 December	Sajid Mohammed Badat	SC/8588 16 December

B. Entities added

Date	*Name*	*Press release*
2 May	Lashkar e-Tayyiba	SC/8381 6 May
1 June	Islamic Jihad Group	SC/8405 3 June
15 July	Movement for Reform in Arabia	SC/8451 18 July
17 August	Al-Akhtar Trust International	SC/8475 18 August

C. Individual removed

Date	*Name*	*Press release*
24 October	Rahmatullah Safi	SC/8534 25 October